

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

STATE OF LOUISIANA, STATE OF  
MISSOURI, *et al.*

*Plaintiffs,*

v.

JOSEPH R. BIDEN, JR., in his official  
capacity as President of the United States, *et*  
*al.*,

*Defendants.*

Case No. 3:22-cv-01213-TAD-KDM

**PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO FILE REPLY  
BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to the Federal Rules of Civil Procedure and this Court's Local Rules, Plaintiffs respectfully request the Court's leave for an extension of time of six days, to May 23, 2023, in which to file their Reply brief in support of their Motion for a Preliminary Injunction in this case. Counsel for Defendants have not consented to this request. In support, Plaintiffs state as follows:

Plaintiffs filed their supplemental brief (Doc. 214) in support of their Motion for a Preliminary Injunction on March 6, 2023. At the same time, Plaintiffs filed a Proposed Findings of Fact (Doc. 214-1). Defendants moved to strike Plaintiffs' Proposed Findings of Fact or, alternatively, an extension of time to file their opposition (Doc. 219). This Court denied the Motion to Strike but granted an extension of time up to fifty (50) days for Defendants to file their brief (Doc. 223). The Court then extended Defendants' deadline a second time, pushing it to May 2, 2023, and setting Plaintiffs' deadline to file a reply until May 17, 2023 (Doc. 232). On May 2, 2023, Defendants filed their Memorandum in Opposition to Plaintiffs' Motion for Preliminary Injunction, consisting of 275 pages (Doc. 266), and at the same time, Defendants filed a response

to Plaintiffs' Proposed Findings of Fact, consisting of 722 pages (Doc. 266-8), for a combined page total of 997 pages. Defendants also filed approximately 187 exhibits (*see* Docs. 266-1 through 266-7).

Plaintiffs are working diligently to respond to Defendants' voluminous filing but will need additional time to adequately provide a reply for this Court. Plaintiffs note that a six-day extension to May 23, 2023 will not affect the current oral argument setting of May 26, 2023, and will allow both the Court and Defendants a three-day period to review the reply brief. Therefore, Plaintiffs respectfully request the deadline for their Reply Brief be extended to Tuesday, May 23, 2023.

Plaintiffs contacted Defendants to seek their consent to this request. Defendants, despite having filed a combined 997 pages of briefing two weeks ago after having obtained two lengthy extensions, refused to consent to this request unless Plaintiffs would consent to yet another continuance of the oral argument setting, in addition to the continuances that Defendants have already obtained. Plaintiffs notified Defendants that they do not agree to a continuance of the hearing on May 26, 2023, and Defendants thus refused to consent to this request for extension.

### **CONCLUSION**

For these reasons, Plaintiffs respectfully request that this Court grant them a six-day extension of time, to May 23, 2023, in which to file their Reply brief in support of their Motion for Preliminary Injunction in this case.

Dated: May 16, 2023

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that, on May 16, 2023, I caused a true and correct copy of the foregoing to be filed by the Court's electronic filing system, to be served by operation of the Court's electronic filing system on counsel for all parties who have entered in the case.

/s/ D. John Sauer